

## **In the United States Patent and Trademark Office**

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For: 3H-PHENOXAZINE DERIVATIVES  
SUITABLE AS NEAR-INFRARED  
IMAGING AGENTS, PREPARATION AND  
USE THEREOF

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### **AMENDMENT UNDER 37 C.F.R. § 1.111**

This communication is responsive to the Non-Final Office Action dated July 2, 2009, regarding the above-referenced patent application. Applicants respectfully request entry of the following amendments and consideration of the following remarks.

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 8.